

1 Plaintiff's motion. If, when filing their opposition to Plaintiff's motion, Defendants wish to
2 dispute the factual accuracy of the information set forth in the complaint and accompanying
3 documents, the opposition should be accompanied by appropriate affidavits. Moreover,
4 Defendants should be prepared to present live testimony at the evidentiary hearing. The
5 hearing may be vacated or rescheduled upon a review of Defendants' submissions.

6 Accordingly,

7 **IT IS ORDERED** that Defendants shall file a response to Plaintiff's Motion for
8 Temporary Restraining Order or a Preliminary Injunction no later than **9:00 a.m. on**
9 **Monday, September 30, 2013**. Defendants' response should be accompanied by the
10 appropriate affidavits and should indicate whether Defendants are willing to reschedule
11 Plaintiff's reprieve/commutation hearing for a date later than October 2, 2013, but prior to
12 October 9, 2013. The response should also indicate which Defendants are available to testify
13 on September 30, 2013, at 2:00 p.m. No reply is permitted absent further order of the Court.

14 **IT IS FURTHER ORDERED** that a hearing on Plaintiff's motion will be held on
15 **Monday, September 30, 2013, at 2:00 p.m. in Courtroom 604**.

16 **IT IS FURTHER ORDERED** that the Clerk of Court shall forthwith email a copy
17 of this Order as well as Plaintiff's Complaint for Equitable, Injunctive and Declaratory Relief
18 (Doc. 1) and Plaintiff's Motion for Temporary Restraining Order or a Preliminary Injunction
19 (Doc. 6), to Joseph Sciarrotta, Jr., General Counsel, Office of the Governor
20 (jscarrotta@az.gov); Kelly Gillilan-Gibson, Assistant Arizona Attorney General, Arizona
21 Board of Executive Clemency (kelly.gillilan-gibson@azag.gov); and Brian Luse, Assistant
22 Arizona Attorney General, Arizona Board of Executive Clemency (brian.luse@azag.gov).

23 DATED this 27th day of September, 2013.

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26 Roslyn O. Silver
27 Senior United States District Judge
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